

ADVANCEMENT OF PEACE

Treaty signed at Lisbon February 4, 1914

Senate advice and consent to ratification August 13, 1914

Ratified by Portugal September 26, 1914

Ratified by the President of the United States October 21, 1914

Ratifications exchanged at Washington October 24, 1914

Entered into force October 24, 1914

Proclaimed by the President of the United States October 27, 1914

*Modified by agreement of November 16, 1915*¹

38 Stat. 1847; Treaty Series 600

The President of the United States of America and the President of the Portuguese Republic, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose, and to that end have appointed as their Plenipotentiaries:

The President of the United States of America: His Excellency Colonel Thomas H. Birch, Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the Portuguese Republic;

The President of the Portuguese Republic: His Excellency Dr. António Caetano Macieira Júnior, Minister for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:

ARTICLE I

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they

¹ TS 600-A, *post*, p. 334.

agree not to declare war or begin hostilities during such investigation and before the report is submitted.

ARTICLE II

The International Commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country. The expenses of the Commission shall be paid by the two Governments in equal proportion.

The International Commission shall be appointed within six months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

ARTICLE III

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, spontaneously offer its services to that effect, and in such case it shall notify both Governments and request their cooperation in the investigation.

The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities required for its investigation and report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government, and the third retained by the Commission for its files.

The High Contracting Parties reserve the right to act independently on the subject matter of the dispute after the report of the Commission shall have been submitted.

ARTICLE IV

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the President of the Portuguese Republic in accordance with the constitutional laws of the Republic; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the High Contracting Parties have given notice to the other of an intention to terminate it.

In witness whereof the respective Plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in duplicate, in the english and portuguese languages, at Lisbon, this 4th day of February one thousand nine hundred and fourteen.

THOS. H. BIRCH

[SEAL]

ANTONIO CAETANO MACIEIRA JUNIOR

[SEAL]